

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Atty. Dkt.: 3919-6

Date: January 23, 2002

Sir:

Attached for filing is the patent application of:

Inventor: WILLIAMS et al

Entitled: BRAIN RESCUE INSTRUMENT AND METHOD

and including attachments as noted below:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract  
25 pages of specification and claims (including 9 numbered claims), and  
19 sheets of accompanying drawing/s.

☐ Record the attached assignment and return to the undersigned.☐ Attached is a Power of Attorney.☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

328047

New Zealand

10 June 1997

PCT/NZ98/00083

10 June 1998

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.

Certified copy(ies) filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_

Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

Please amend the specification by inserting the following paragraph before the first line: --This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/445,760, filed February 18, 2000, allowed, the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to Auckland Uniservices Limited.

It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED**

Basic Filing Fee				\$	740.00
Total effective claims	66	- 20 (at least 20) =	46	x \$ 18.00	\$ 828.00
Independent claims	2	- 3 (at least 3) =	0	x \$ 84.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)					\$ 280.00
SUBTOTAL					\$ 1848.00
If "small entity," then enter half (1/2) of subtotal and subtract					-\$ ( 0.00)
SECOND SUBTOTAL					\$ 1848.00
Assignment Recording Fee (\$40.00)					\$ 0.00
TOTAL FEE ENCLOSED					\$ 1,848.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON &amp; VANDERHYTE P.C.

By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: \_\_\_\_\_